United Nations A/C.4/64/SR.23

General Assembly
Sixty-fourth session

Official Records

Distr.: General
1 February 2010

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 23rd meeting
Held at Headquarters, New York, on Monday, 9 November 2009, at 10 a.m.

Chairperson: Mr. Valladares (Vice-Chairperson) (Honduras)

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In the absence of Mr. Al-Nasser (Qatar), Mr. Valladares (Honduras), Vice-Chairperson, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 31: United Nations Relief and Works Agency for Palestine Refugees in the Near East *(continued)* (A/64/13 and Add.1, A/64/115, 174, 323 and 324; A/C.4/64/7)

1. **Mr. Al-Zayani** (Bahrain) expressed his delegation's appreciation of the work of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and thanked the countries that had given refuge to Palestine refugees, namely Jordan, the Syrian Arab Republic and Lebanon.

2. Although the ongoing reform of UNRWA had achieved some success in improving its effectiveness in delivering services to refugees, the financial situation of the Agency, which the Commissioner-General in 2008 and in previous years had described as precarious, would remain an obstacle to further achievements until such time as the General Fund was fully funded, so ensuring the Agency's capacity to fulfil its mission. In that connection he expressed appreciation of the generosity of the major donors.

3. It was clear from the report of the Commissioner-General (A/64/13) that the Agency had made great efforts to improve the quality of its services to Palestine refugees through enhanced programme management and streamlined support services under the organizational development process and that it had also responded to emergencies in its five fields of operation. The Commissioner-General and the senior staff of the Agency were to be commended for their efforts to address the humanitarian crisis in the Occupied Palestinian Territory involving malnutrition among children, increasing poverty and unemployment, deteriorating health conditions, the displacement of Palestinians following the destruction of their homes, the disruption of education programmes and the increasing demands since September 2000 of keeping up to the worsening economic and social conditions.

4. The Agency's vision for every Palestinian of enjoyment of high standards of human development and of active and productive participation in social, economic and cultural life was being frustrated by the ongoing aggression of the Israeli forces of occupation against the Palestinian people, Israeli restrictions on movement, the extension of the separation wall in the West Bank and around Jerusalem, the enlargement of existing settlements and the construction of new ones and other restrictions that had fragmented the West Bank into cantons isolated one from another, the blockade imposed on the Gaza Strip and the destruction of Agency installations where Palestinians had sought refuge. All those measures were flagrant violations of the 1946 Convention on the Privileges and Immunities of the United Nations and of the Fourth Geneva Convention for the protection of civilian persons in time of war.

5. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/64/35) gave numerous examples of deaths, injuries and damage to property as a result of Israeli military action, and further examples of Israeli aggression appeared in document A/64/13 and in the report of the United Nations Headquarters Board of Inquiry established to investigate certain incidents in the Gaza Strip between 27 December 2008 and 19 January 2009 (A/63/855-S/2009/250).

6. The sixtieth anniversary of the establishment of UNRWA provided an opportunity to reflect on the need to solve issues relating to the Palestine refugees in accordance with General Assembly resolution 194 (III) of 11 December 1948, particularly paragraph 11 which specified their right to return to their homes. The Palestinian question was, indeed, the key issue in the overall problem of the Middle East.

7. **Ms. Sobhan** (Bangladesh) said that her Government had watched with utter frustration as Israeli operations violated the basic rights of Palestine refugees in the Gaza Strip and the West Bank, and as the illegal expansion of Israeli settlements in the West Bank and Lebanon unlawfully encroached on Palestinian lands. The spiralling violence and the persecution, deprivation of rights and deteriorating humanitarian conditions of the refugees were of the utmost concern.

8. Gaza's industry was almost at a standstill and over 40 per cent of the labour force was out of work. Israel must remove all the restrictions that were preventing the Palestinians from earning their livelihood normally. The impediments also to free movement by UNRWA personnel and vehicles there

and elsewhere in the Occupied Palestinian Territory were severely hampering the Agency's humanitarian work and had caused the socio-economic and living conditions of the Palestinians to deteriorate further.

9. The focus of UNRWA activities was on the creation of new jobs. Bangladesh, as the birthplace of microcredit, was gratified by the success of the Agency's microenterprise programme and its wide acceptance in the region as a major tool for poverty alleviation and economic development. The programme should now concentrate on empowering poor Palestinian women. Bangladesh would be happy to share its expertise in the field in order to help fine-tune the programme to the special needs of the Palestinian people and the region as a whole.

10. Refugees were among the most vulnerable groups and depended on international assistance. The international community should come forward with generous contributions to fund the expanded requirements of UNRWA, particularly for rehabilitation and emergency programmes to assist Palestine refugees.

Agenda item 32: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/64/332, 339, 340 and 354)

11. **The Chairperson**, drawing attention to the documents under agenda item 32, informed the Committee that two reports of the Secretary-General, those prepared pursuant to General Assembly resolutions 63/97 and 98, had yet to be issued.

12. **Mr. Kohona** (Sri Lanka), introducing the report of the Special Committee (A/64/339), said that once again, because access had been denied by the Israeli authorities to the occupied territories themselves, a mission of the Special Committee had prepared the report on the basis of first-hand accounts given by witnesses in Cairo, Amman and Damascus. The mission had also reviewed a considerable amount of documentary evidence, including maps and other written and electronic information material.

13. The deteriorating situation in Gaza and the other Palestinian and Arab territories under occupation was seriously affecting prospects for peace and for a two-State solution. The most pressing concern was the drastic impact the Israeli offensive of late December 2008 and early January 2009 had had on the civilian population of the Gaza Strip. The excessive force used, in violation of international law, had killed thousands and destroyed vital civilian infrastructure. Because Israel had closed the borders, over one million civilians had been trapped. The situation in Gaza remained volatile, with illegal trade through underground tunnels as the only means of obtaining essential goods. Lack of construction materials and fuel and long power cuts had increased unemployment and poverty. Coupled with the lingering consequences of years of isolation and the economic blockade, the war had caused the formal economy in Gaza to almost totally collapse.

14. The Special Committee had been alerted particularly to the state of the health sector, where the destruction of medical facilities and the subsequent unavailability of medicines, medical equipment and hence treatment had made the situation critical. Furthermore, restrictions at border crossings prevented even seriously ill patients from seeking medical care elsewhere.

15. The continued settlement activities and the construction of the separation wall by Israel were a severe constraint on the freedom of movement of Palestinian citizens in the West Bank and East Jerusalem. Road barriers and other types of control were interfering with education, and there were reports of increasing incidents of harassment and humiliation of Palestinians, especially women and girls, at road checkpoints and during security searches of homes. Two hundred kilometres of the illegal separation wall, whose placement had not been dictated by security considerations according to many witnesses, Israelis and Palestinians alike, had already been completed, and it served to perpetuate Israeli settlements, cut into the area of the Palestinian State and ensure lasting Israeli control over parts of the West Bank.

16. Palestinian prisoners in Israeli detention facilities were subject to demeaning treatment, unlawful interrogation tactics and even torture, and administrative detention orders had enabled the Israeli authorities to hold prisoners without due process. Yet Israel, as the occupying Power, was required to comply with its obligations under applicable international law and international humanitarian law.

17. The continued illegal imposition of Israeli law, jurisdiction and administration in the occupied Syrian Golan warranted the international community's immediate attention. There had been reports of

violations of land rights, illegal settlements, discriminatory treatment in employment and lack of job opportunities, restrictions on trade — all of which hindered any meaningful economic development. Minefields still posed a threat to civilians, with numerous casualties reported. Syrian Arab prisoners were not being treated according to the standard minimum rules. And the long-term effects of fragmented communities had damaged the social fabric of the Syrian Arabs.

18. He reviewed the specific recommendations which the Special Committee addressed to the General Assembly and through it to the Security Council and Member States, the Government of Israel, and the Palestinian Authority. All the parties concerned should act on those recommendations and look upon them as their collective responsibility to alleviate the long years of suffering of the Palestinians and other Arabs living under occupation, so that sustainable peace would not be an illusion.

19. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that the situation in the Occupied Palestinian Territory, including East Jerusalem, had deteriorated on all fronts in the past year. During its brutal military aggression in the Gaza Strip against a Palestinian civilian population already debilitated by the deprivation imposed on it by a two-year Israeli blockade, Israel had — in the judgement of the United Nations Fact-Finding Mission on the Gaza Conflict (the Goldstone report) and other independent investigations — been guilty of grave breaches of international humanitarian law, which amounted to war crimes.

20. Elsewhere, Israel had pursued its unlawful colonization, especially in and around East Jerusalem, aimed at the de facto annexation of even more Palestinian land, thus altering the nature and status of the Occupied Territory. That unlawful two-pronged Israeli policy — in conjunction with colonization — had caused socio-economic devastation, fragmented the Palestinian Territory, and fuelled cycles of violence over the years, thus impeding efforts to resume the peace process on the basis of relevant United Nations resolutions, the Madrid terms of reference, the Arab peace initiative and the Quartet road map.

21. The tragic consequences of the military attack on the Gaza Strip were well known. Israel had deliberately taken no precautions to protect civilians, in grave breach of its obligations as an occupying Power under the Fourth Geneva Convention, and excessive, indiscriminate force not justified by military necessity had been used systematically, on a scale unprecedented since the occupation had begun in 1967. The pattern of destruction, the Goldstone report concluded, had amounted to an attack on the foundations of civilian life and constituted a war crime. Moreover, Israel had deliberately obstructed any reconstruction activity by its continuing refusal to lift its blockade on Gaza. Humanitarian access, the import of essential goods and the movements of civilians continued to be impeded, and exports were totally prohibited. The blockade, which had exacerbated already high levels of poverty, so that at least 300,000 persons were now living in abject poverty in Gaza, must be lifted immediately. In the view of the Goldstone mission, the series of acts that had deprived Palestinians in the Gaza Strip of their means of subsistence, employment, housing and water and denied or restricted their rights could be considered persecution, and thus crimes against humanity.

22. Regrettably, the situation in the rest of the Occupied Palestinian Territory, including East Jerusalem, remained volatile. In the West Bank, the nearly 11,000 Palestinians currently in Israeli prisons — part of the at least 700,000 that had been detained by Israel since 1967 — were being held under degrading, inhumane conditions and even tortured. The occupying Power must release all Palestinian prisoners.

23. Also of particular concern were the settlements Israel was establishing throughout the Territory, in grave breach of the Fourth Geneva Convention and Additional Protocol I, as well as of many other legal obligations. The unlawful colonization campaign was one of the major obstacles to peace and had had an impact on all aspects of Palestinian life, owing to the countless evictions, confiscations of Palestinian land and destruction of property, the construction of the separation wall, the building of Israeli-only bypass roads, and mounting settler violence. The situation had become most severe in and around Occupied East Jerusalem, where hundreds of families had been made homeless and a permit regime and movement restrictions isolated the city from its natural environs and from the indigenous population. Those measures were designed to ensure a Jewish majority and alter the city's demographic and physical landscape, unilaterally determining its fate. Several Palestinians evicted from

East Jerusalem had accompanied her and would be happy to speak first-hand with members of the Committee later.

24. In addition, Israel had continued to impose hundreds of checkpoints — many of them linked to the settlements and the wall — to restrict the movement of persons and goods into and out of the West Bank, including East Jerusalem, in a form of collective punishment. That policy was having an impact on the rights to health, education, work, food, family life, choice of residence and worship. Altogether, the colonization measures had gravely undermined the integrity of the Occupied Palestinian Territory.

25. Colonization and the peace process could not coexist. As the United Nations Fact-Finding Mission had found, ending the military occupation was a prerequisite for the return of a dignified life for Palestinians, as well as for development and a peaceful solution to the conflict. Israel, no doubt emboldened by the fact that it had never been truly held accountable and punished for its transgressions against the Palestinian people, had committed its recent crimes before the eyes of the international community. Momentum was rising, however, to end the cycle of impunity and pursue justice for the victims. Only the converging efforts of the international community, and the Palestinian side would compel Israel to abide by all its legal obligations and commit to the pursuit of peace. That would create the necessary conditions, in which an independent State of Palestine, with East Jerusalem as its capital, could be established.

26. **Ms. Mawe** (Sweden), speaking on behalf of the European Union (EU), the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey, the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia, and, in addition, Armenia, the Republic of Moldova and Ukraine, said that they remained committed to a comprehensive settlement of the Arab-Israeli conflict, on the basis of international law, the relevant Security Council resolutions, the terms of reference of the Madrid Conference, including land for peace, the Quartet road map, the agreements previously reached by the parties, as well as the Arab peace initiative. The EU was equally committed to the two-State solution.

27. Consequently, the continued settlement activities, house demolitions and evictions in the occupied West Bank remained a serious concern, particularly the development in East Jerusalem, for if there was to be genuine peace, a way must be found to resolve the status of Jerusalem as the future capital of two States. The EU thus urged the Government of Israel to end settlement activities immediately, including in East Jerusalem and including so-called natural growth, and to dismantle all outposts erected since March 2001. The settlements were illegal under international law and the EU would not recognize any changes to the pre-1967 borders other than those agreed by both parties. Recalling the advisory opinion of the International Court of Justice, it reiterated its call for the dismantling of the separation barrier erected on occupied land along lines which did not correspond to the 1949 Armistice Demarcation. It called, furthermore, for the progressive removal of Israeli restrictions on movement and access, in order to improve living conditions in the West Bank and revitalize the Palestinian economy.

28. Palestinian prisoners should be released in greater numbers, with priority given to minors. The practice of administrative detention by Israel continued to raise serious human rights concerns.

29. The EU deeply deplored the loss of life in Gaza during the conflict at the beginning of the year. It attached enormous importance to the Geneva Conventions, which formed the heart of international humanitarian law, and therefore called on all parties to stop incitement and violence against civilians. A durable solution to the Gaza crisis would be the full implementation of Security Council resolution 1860 (2009) and an immediate and unconditional opening of crossings to allow the flow of humanitarian aid, commercial goods and persons to and from Gaza, in order to permit its reconstruction and economic recovery.

30. Regional peace and the creation of a contiguous and viable Palestinian State, living side by side in peace and security with the State of Israel, was a fundamental interest for the European Union. A Palestinian State in which the Palestinian people could determine their own destiny was an indispensable and urgent step towards a more stable and peaceful Middle East.

31. **Ms. Hernández Toledano** (Cuba) expressed alarm at the escalation of violence and unprecedented attacks in the occupied Arab territories, and extreme

concern at the increasing numbers of poor unable to meet their basic needs. The international community's efforts had come to naught, while the Israeli authorities, with flagrant disdain for international law and blatant disrespect for the resolutions of the international community, pursued their policy of aggression. The usual double standards and the threat by one permanent member to veto any draft resolution aimed at a just and impartial solution had shackled Security Council attempts seriously to address the issue.

32. As illustrated in the reports of the Secretary-General, the Israeli Government's lack of commitment and cooperation was manifest in its refusal to provide the information required by the General Assembly to fulfil its mandate. Cuba was alarmed at the constant deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem, owing mainly to the occupying Power's indiscriminate and excessive use of force against Palestinian civilians, as well as other illegal policies and practices and the collective punishment of Palestinians, all of which violated the rights of the Palestinian people, exacerbating their socio-economic situation and producing a dire humanitarian crisis.

33. Cuba condemned Israel's decades-long military occupation of Palestinian lands and was appalled at the impunity with which it continued its military actions such as Operation Cast Lead. It was waging an unequal war with the most modern weaponry against a civilian population defending its inalienable right to exist as an independent State, which constituted a massive violation of Palestinians' human rights, including the right to life. Israel's action was in blatant disregard of the advisory opinion of the International Court of Justice and of General Assembly resolution ES-10/15 (2004).

34. Cuba reaffirmed its belief in the invalidity and illegality of all the occupying Power's actions to alter the character of the occupied Syrian Golan and impose its jurisdiction and administration. Such actions flouted international law, international agreements and the Charter and resolutions of the United Nations. Cuba demanded that Israel should withdraw from the occupied Syrian Golan to pre-June 1967 borders. The Palestinian people had the inalienable right to establish an independent, sovereign State with East Jerusalem as its capital. She therefore called for Israel's unconditional return of the occupied Arab territories, which was the only road towards a just and lasting peace.

35. **Mr. Hadhrami** (Yemen) said that for over four decades Israel had been violating the human rights of the population of the occupied Arab territories. In Gaza, 1.5 million Palestinians were living among the devastation wrought by the most recent Israeli attack on the Gaza Strip in which 1,400 people had been killed and over 5,500 wounded, more than 5,000 homes had been destroyed and some 20,000 Palestinian families displaced. The implausible justification offered by Israel for the attack in which so many civilians had been killed and so many schools and other public buildings and infrastructure installations deliberately bombed was self-defence. Light was shed on the matter by the report of the United Nations Fact Finding Mission on the Gaza Conflict (A/HRC/12/48).

36. The report concluded, in particular, that the Palestinians were entitled to resist the forcible denial of their right to self-determination and their right to life and that Israel had deliberately targeted civilians and their property. The Israeli military operations in Gaza could only be understood as an aspect of Israel's ongoing policies in Gaza and the other occupied territories, many of which were based on, or led to, violations of human rights and of international humanitarian law. Despite Israel's claim that its military action had been undertaken in self-defence, the Mission found that the action was directed, at least in part, at another target, namely the inhabitants of Gaza, and that the repeated failure to distinguish between combatants and civilians was not the result of accidental errors but of deliberate instructions that had been given to the military. Finally, the evidence gathered by the Mission showed that the Israeli military forces had adopted a deliberate and systematic policy to destroy infrastructure not because the targets constituted a military threat but in order to make the daily life of the civilian population difficult.

37. The Palestinians in the West Bank continued to suffer from destruction of their homes, confiscation of their land, the expansion of settlements and the continuing construction of the separation wall, which was a deliberate challenge to the advisory opinion of the International Court of Justice. The campaign for the Judaization of Jerusalem, aimed at altering the historical, ethnic, cultural and religious features of the City and marginalizing the Palestinian, Arab, Islamic and Christian presence, was continuing.

38. The suffering of the Palestinian people would not cease until the international community assumed its responsibilities and until the Israeli occupation of all the Palestinian and Arab territories, including the occupied Syrian Golan, came to an end. His delegation supported the claim of the Palestinian people to establish their own independent State with East Jerusalem as its capital.

39. **Mr. Alqahtani** (United Arab Emirates) said that Israel had sought to conceal its repeated crimes in Palestine and in the other occupied Arab territories, in particular by preventing the members of the Special Committee from entering the territories to carry out its mandate in compliance with the relevant resolution of the General Assembly. Every year since the Committee's establishment in 1968, in the course of verifying the facts of Israel's occupation and its violations of international law, including the Fourth Geneva Convention, the Special Committee had interviewed scores of eyewitnesses and victims from neighbouring States.

40. The report of the Special Committee (A/64/339) provided convincing proof of the daily violations of the human rights and fundamental freedoms of the population of Palestine and the occupied Golan. Israel's war machine, armed with internationally prohibited weapons of the most dangerous kind, continued to consolidate Israel's occupation of Palestinian and other Arab territories. Not content with perpetrating military attacks against and making incursions into the towns and villages of Palestine and the occupied Golan, arbitrarily killing and arresting civilians, including children, women and the infirm, destroying houses, targeting public buildings and infrastructure, uprooting trees, bulldozing land, destroying farms and public and private property, pillaging natural resources and the cultural heritage, violating freedom of worship and sacred places, Israel had recently gone still further. It had subjected the Palestinian people to collective punishment, destroying basic infrastructure on a wide scale, including electricity generating stations and sources of clean drinking water in the Gaza Strip, and had tightened its blockade, closing the entrances to towns and villages in the Gaza Strip and elsewhere, preventing the population from obtaining daily necessities such as food, medicine and fuel, as well as materials for reconstruction following the destruction wrought by Israel. The Palestinian economy had suffered greatly, with 80 per cent of families in Gaza and 45 per cent of those in the West Bank living below the poverty line, the unemployment rate had reached nearly 50 per cent and the Palestinian community was beset by health problems, disease, malnourishment and psychological trauma, especially among mothers and children. In addition, Israel had attacked United Nations mission headquarters in the Palestinian territories, hindering the Organization's humanitarian efforts in a manner blatantly contrary to the will of the international community.

41. His Government strongly condemned those flagrant violations of the principles of the United Nations Charter and the provisions of international humanitarian law, regarding them as war crimes and crimes against humanity as confirmed by the report of the United Nations Fact Finding Mission, known as the Goldstone report (A/HRC/12/48), which, in particular, had requested the competent bodies of the international community to exert pressure on Israel to cease its aggression and its illegal adventure in the Palestinian territories and occupied East Jerusalem, to desist from its policy of collective punishment and its blockade of the Gaza Strip, to open its borders immediately to all forms of humanitarian aid, in particular food, medicines and medical treatment, and to withdraw immediately from all Palestinian and Arab territories occupied since 1967, including East Jerusalem, the occupied Syrian Golan and the occupied parts of South Lebanon. The Fact Finding Mission had also called on Israel to comply immediately with all the relevant resolutions of the Security Council and the General Assembly and with the advisory opinion of the International Court of Justice, which had requested Israel to cease its construction of the separation wall in the occupied Palestinian territories, including East Jerusalem.

42. His delegation requested the international community, as a matter of urgency, to take all the measures indicated in the conclusions and recommendations of the report contained in document A/64/339, including the imposition of sanctions on Israel if it failed to comply fully with all United Nations resolutions; to request Israel to allow the members of the Special Committee to enter the occupied territories in order to fulfil its mandate; and to require the Israeli Government to pay appropriate compensation for the damage it had inflicted on the

Palestinians and the population of the occupied Syrian Golan.

43. His Government further called on the international community, and above all the United Nations, to protect the Palestinians and the population of the occupied Syrian Golan from Israel's practices in conducting its brutal occupation. It trusted that the General Assembly would strengthen the mandate of the Special Committee to ensure comprehensive coverage of breaches of human rights in the occupied Palestinian and Arab territories so as to alert world public opinion to the dangers and to achieve a just and lasting settlement of the Palestinian question and of the situation in the Middle East.

44. **Mr. Berrah** (Algeria) said that his delegation wished to call special attention to what had become an unfortunate tradition in the Secretariat, namely, the late publication, year after year and with no reasonable explanation, of the report on the agenda item currently under consideration, inevitably forcing postponement of the discussion.

45. The situation in the Middle East grew worse by the day owing to Israel's policy of aggression against and intimidation of the Palestinian people and the States of the region. The Middle East had been transformed from a land of tolerance and peaceful cohabitation of various religions and civilizations into a theatre of conflict that knew no geographical barriers owing to a regime whose systematic recourse to terror, violence and elaborate plans for annexation had institutionalized the aggression which informed all its relations with States in the region.

46. The repression of the Palestinian population was worsening and systematic annexation of land, Judaization, and elimination of Palestinians were the order of the day. Having failed to break the Palestinian people's national will to resist, Israel was waging a veritable campaign of genocide, exemplified by the recent attack on Gaza. Described in detail by the Observer for Palestine and in the report of the Special Committee (A/64/339), the undeniable acts of aggression had notorious consequences for any peace process. Yet Israel continued to act with arrogance and defiance.

47. Al-Haram al-Sharif, an Islamic holy place, whose fate was inextricably linked to the Israeli-Palestinian conflict, had again been the target of blasphemous attacks by Israel and the basis for continuous expropriation and expulsion of the ancestral inhabitants of Al-Quds, in an inexcusable attempt to Judaize it despite its history and against all the rules of law, adding one more step in the escalation of provocations vigorously condemned by the Organization of the Islamic Conference — and challenging yet again the authority of the Security Council and the entire international community.

48. The people and Government of Algeria were deeply distressed by those serious violations. They rejected any measure that undermined Palestine's sovereignty over Al-Quds al-Sharif, and condemned Israeli violations and all acts designed to alter the demography and geography of the Holy City. Bolstered by its impunity, Israel systematically used force to impose its will on the Arab peoples of the region and, secure in its support and the knowledge that any United Nations policy decision would be blocked, it continued to annex Arab lands in violation of the Charter of the United Nations and the principle of the inadmissibility of acquisition of territories by force. Such was the situation prevailing in south Lebanon and the Syrian Golan where, with contempt for the mandatory Security Council resolutions, the Israeli occupation was becoming more intolerable and, for all that they were sovereign States, the identity and Arabness of a section of their population continued to be attacked.

49. The only path to protection of the sacred nature of the holy places of Al-Quds and the advent of peace to the region was the total evacuation of all occupied Arab territories and the restoration to the Palestinian people of their legitimate and inalienable rights, including the right to build their free and sovereign State on their native soil, with Al-Quds al-Sharif as its capital. Algeria stood firmly united with the Palestinians and would continue to support them fully in their heroic struggle until their legitimate national rights were restored once and for all.

50. **Mr. Mbaye** (Senegal), expressing his delegation's full support for the recommendations contained in the report of the Special Committee, said that the human rights situation in the Occupied Palestinian Territory had been exacerbated by Operation Cast Lead. The occupying Power's intensification of its border controls and food import restrictions had reduced exports to below the bare minimum. Rebuilding was yet to begin in Gaza, potentially transforming a difficult situation into an unprecedented humanitarian disaster if it was not

solved immediately. The continued expansion of settlements in the West Bank, the construction of hundreds of homes, Israel's continued approval of similar projects, and its imposition of its laws and administration on the occupied Syrian Golan had adverse consequences for the human rights and fundamental freedoms of its people, young and old, individuals and families alike.

51. Notwithstanding the Israeli occupier's lack of cooperation, the Special Committee had collected evidence enough of its denial of sundry rights of the Palestinian people and other Arabs under occupation, itself a human rights violation. He urged the United Nations to take the steps required to force Israel to abide scrupulously by the principles of international law, and he invited the State of Israel to look into its own history of suffering and find the will to end the suffering inflicted daily on the population of the occupied territories, to resume the negotiations and to allow the Special Committee to visit the occupied territories in order better to fulfil its mandate.

52. In conclusion, he urged the international community, and particularly the Security Council and the Member States, to ensure that the Special Committee's recommendations were effectively implemented with a view to promoting and protecting the rights of the Palestinian people and other Arabs of the occupied territories.

53. **Mr. Sangqu** (South Africa), reiterating his delegation's full support for the work of the Committee, said that the report again corroborated the intensification of the illegal Israeli practices associated with the military, socio-economic and humanitarian disorder in the occupied Arab territories.

54. South Africa condemned the acts of aggression and gross and systematic human rights violations in the Gaza Strip. While the military incursion had ended, its consequences for the people of Gaza must not be forgotten. Although Israel bore full responsibility for compensating the Palestinian people for its actions, the international community must also take the lead in efforts to rebuild Gaza. He therefore enjoined the Committee to stress the importance of the recent Sharm el-Sheikh Conference in Support of the Palestinian Economy for the Reconstruction of Gaza and again urged Israel to lift its siege of the Gaza Strip so that humanitarian aid and supplies could reach the area.

55. He reiterated his delegation's strong belief that the full implementation of the Special Committee's report — which was consistent with the report of the United Nations Board of Inquiry [1970] and the Goldstone report — would contribute greatly towards accountability. Reiterating South Africa's condemnation of the continuing blockade, the ongoing construction of the separation wall and the expansion of Israeli settlements, he also urged Israel to cease expansion of settlements in the West Bank and the demolition of Palestinian homes there and in East Jerusalem, which were severely damaging the social and economic structures of the West Bank and Gaza, increasing unemployment, poverty and reliance on humanitarian assistance and directly affecting the enjoyment of economic and social rights.

56. Peaceful coexistence between Israelis and Palestinians was achievable if it were based on the two-State solution, with the pre-1967 borders in place and with East Jerusalem as the capital of Palestine. His delegation supported the draft resolutions under the agenda item and looked forward to the day when Israel fulfilled its international obligations and cooperated fully with the Special Committee.

57. **Mr. Andrabi** (Pakistan), noting that the Special Committee's report had become a compendium of the Israeli occupation force's human rights abuses of the Palestinians and other Arabs of the occupied territories, including the Syrian Golan, and that the further deterioration of the situation had been corroborated not only by United Nations reports, but also by the international independent media, Israel could continue to maintain illegal occupation with double discourse owing to their direct effect on lives and livelihoods on the ground and to their negative impact on the broader peace process, the only light at the end of a long tunnel of conflict and violence.

58. His delegation deplored the worsening humanitarian situation in the occupied territories, mainly caused by activities that are contrary to the road map and Israel's repeated commitments. The authorities must cease such practices, which were responsible for an entire array of human rights violations and hardships for the people of the occupied territories, including deprivation of their natural wealth and resources, but also their very right to self-determination, denial of which lay at the heart of the Arab-Israeli conflict.

59. An atmosphere of trust and confidence, with the active engagement of the international community, was the only way forward for the peace process and for progress towards a two-State solution, while parallel progress in Syria-Israel and Lebanon-Israel was required for wider peace in the Middle East. Pakistan, with its natural affiliation with the Palestinian issue and its deep commitment to its just and peaceful settlement, considered effective implementation of the Special Committee's recommendations to be essential for reviving the peace process, the only avenue that could lead to lasting peace.

60. **Mr. Al-Ansari** (Qatar), extending his delegation's sympathy to those who had been brutally evicted from their homes in Gaza, commended the detailed and impassioned statement by the Observer for Palestine and expressed the hope that Palestine would soon be a Member State.

61. Citing at length Israeli atrocities in the Occupied Palestinian Territory, as reported in document A/64/339 and in the statement made by the Observer for Palestine, he said that those illegal actions undermined the foundations of sustainable development for the Palestinian people. Moreover, the military occupation not only provided Israel with security, but was in fact an appalling violation of the human rights of unarmed and oppressed people, on the groundless pretext of combating violence and terrorism. The right to fight for liberation from foreign occupation, the main reason for the crisis, was a legitimate right and could not be equated with military aggression.

62. Since Israel's illegal practices constituted a clear breach of the Fourth Geneva Convention and ran counter to relevant Security Council resolutions, it was incumbent upon Israel to cease them forthwith and desist immediately and completely from all illegal settlement activities. It was not enough for the international community to identify the issues, such as the construction of the separation wall and the dumping of toxic waste. It must also stop the aggression, that was the particular responsibility of the five permanent members of the Security Council, especially those States with a historical responsibility for the Middle East. Statements in support of the Palestinian people must be transformed into action on the ground. As a member of the international community, the State of Qatar, albeit a small country, had given the Palestinian people a great deal of political and financial support and would do all in its power to end their subjugation and ensure that the Arabs in the occupied Golan were not forgotten.

63. He called for the denunciation of Israel's most dangerous practices, which included violation of Islamic and Christian holy places in order to stir up the feelings of 1.5 billion Muslims and did not augur well for the establishment of a lasting and comprehensive peace. There was something wrong with Israeli legislation, which did not criminalize such acts despite the hatred they incited and the potential for terrorism and violence they created. Israel must comply immediately and unconditionally with the relevant resolutions, especially Security Council resolution 497 (1981) to the effect that the imposition of Israeli laws, jurisdiction and administration on the Golan Heights was null and void and without international legal effect.

64. He emphasized the need to continue to assign importance to the work of the Special Committee and the deliberations of the Fourth Committee on the Palestinian issue, which was still one of the most crucial on the Organization's agenda. Israel's persistence in its illegal practices against the Palestinian and Arab peoples under occupation did not constitute civilized behaviour. Israel had distanced itself from the family of nations, squandering the opportunity to establish relations with the peace-loving nations of the Middle East. It should realize that an end to the occupation would provide a secure economic and social future for the peoples of the entire region, including the Israeli people. Its compliance with the relevant resolution would demonstrate good faith towards a just and comprehensive settlement of the Middle East crisis.

65. **Mr. Ja'fari** (Syrian Arab Republic) said that, for the fourth year in succession, the report of the Special Committee (A/64/339) drew attention to Israel's deliberate destruction of the demographic character and legal status of the occupied Syrian Golan. Despite the international community's condemnation of such abusive practices, Israel remained heedless of humanitarian and moral standards and had persisted for decades in disregarding resolutions such as General Assembly resolution 2443 (XXIII), had consistently refused to allow the Fourth Committee of the General Assembly to visit the occupied Arab territories and had shown no desire to cooperate with the international community to establish a just and comprehensive peace in the region.

66. Israel had continued to occupy the Syrian Golan in defiance of repeated international calls to withdraw from occupied Arab territories and to rescind the law adopted by the Knesset imposing Israeli legislation on the occupied Syrian Golan, a measure which had been declared by the Security Council in its resolution 497 (1981) to be null and void and without legal effect.

67. Despite hundreds of United Nations resolutions condemning Israel, it had persisted in its systematic policy of obliterating Syrian geographical features in the occupied Golan by confiscating land, destroying Syrian villages and towns and replacing them with illegal settlements in a manner contrary to resolution 10/17 of the Human Rights Council, which urged the necessity of desisting from such practices because they were a flagrant violation of the Fourth Geneva Convention of 1949.

68. The report also confirmed once again Israel's continuing practice of confiscating the private property of Syrian citizens in the occupied Golan, plundering its natural resources, including water resources, and creating settlements throughout the Golan and Palestine, using water as a means of exerting pressure on the Syrian population of the Golan, bulldozing and destroying their land, uprooting their fruit trees, blockading them economically and imposing exorbitant taxes on them, particularly on agricultural workers.

69. The occupying Power still refused to specify the location of the mines it had laid in the occupied Syrian Arab Golan which had so far caused over 600 victims, 214 of them children, and remained the major threat to the lives of Syrian farmers and other inhabitants of the Golan. Israel had also been burying its nuclear waste in certain areas of the occupied Golan with complete disregard for the health of the inhabitants and for the principles of international law. The Syrian Arab Republic had several times drawn the attention of the international community to that matter and had called for pressure to be exerted on Israel to remove the nuclear waste and to comply with its obligations, in particular under the relevant resolutions of the International Atomic Energy Agency.

70. Israel had subjected the population of the Golan to harsh, tyrannical and inhuman conditions of internment and had held show trials of Syrian detainees, arbitrarily arresting two Syrian journalists on a charge of communicating with their homeland, and imposing house arrest on a two-year-old child on the pretext that he was born outside the Syrian Golan while his parents were studying at the University of Damascus, as described in paragraph 92 of the Special Committee's report.

71. Israel persisted in its policy of cutting off all forms of communication and contact between Syrian families that had been separated as a result of the occupation by refusing to allow visits to Syrian nationals in the occupied Syrian Golan. His Government had appealed to the United Nations, the European Union and international governmental and non-governmental organizations for assistance in resolving the situation but, as usual, Israel had paid no attention.

72. Israel's policy of aggression against the Palestinian people had continued with extrajudicial killings, starvation, collective punishments, confiscation of land, violations of human rights, forced displacement, closure of border crossings and the transformation of Gaza into the largest prison in the world, depriving its inhabitants of the basic necessities of life, including food, electricity, medicines, water and fuel. The Special Committee's report showed that the situation of human rights in Palestine was largely attributable to the most recent Israeli attack on Gaza, in which 1,420 Palestinians had been killed including 1,170 non-combatants, as stated in paragraph 20. Further confirmation of the attack was provided by the report of the United Nations Fact Finding Mission on the Gaza Conflict (A/HRC/12/48), which had explicitly referred to the deliberate targeting by Israel of civilians during the attack, describing those acts as war crimes which required action on the part of the international community. Accordingly the credibility of the United Nations was being put to the test and the Organization should assume its responsibilities and bring the Israeli war criminals before international justice.

73. The Special Committee's report also referred to the flagrant violations by Israel of international law in the West Bank, where Israel continued with its settlement policy despite international appeals. The occupying Power was still building the racist separation wall which violated all the rights of the Palestinian people in the West Bank, particularly in East Jerusalem where the reluctance of the international community to take action had emboldened the forces of occupation to disregard the feelings of Muslims around the world by digging further tunnels under Jerusalem.

74. His delegation supported the Special Committee's recommendations that the Security Council should urge implementation of its resolutions 242 (1967), 338 (1973) and 497 (1981), which rejected the annexation by Israel of the occupied Syrian Golan. It also supported the advisory opinion of the International Court of Justice concerning the racist separation wall and the request of the Committee to the international community and the contracting parties to the Fourth Geneva Convention to take concrete measures to compel Israel to fulfil its legal obligations in accordance with international law, to return the occupied territory in Palestine, the Golan and Lebanon and to bring about a just and comprehensive peace in the region based on the relevant international resolutions.

75. **Mr. Chabi** (Morocco) said that the situation of human rights in the Occupied Palestinian Territory had greatly deteriorated as a result of the continuing breaches of international law by the Israeli forces of occupation, including grave violations against civilians, an increase in deliberate killing, the destruction of property, the expansion of settlements, the confiscation of land, the annexation of parts of the West Bank and the continuing settlement activity in Jerusalem. The situation had been further exacerbated by Israel's military aggression against the Gaza Strip.

76. The continued building of the separation wall was an overt challenge to international opinion, which had been critical of Israel's long-standing policy of racial discrimination in the occupied Palestinian territories. The wall had cut off the sources of livelihood of Palestinians, turning their towns and villages into isolated cantons and forcing thousands of them to leave their homes. In addition to its segregation policy, Israel had imposed a financial and economic blockade on the Palestinian National Authority spreading poverty and unemployment among wide strata of the population. Many Palestinian's were being tortured in Israeli detention centres and prisons.

77. Serious violations of human rights were still being committed in the occupied Syrian Golan, which in recent years had seen many serious injustices against the Arab population. Some United Nations staff members providing humanitarian assistance to the population had also suffered and journalists had been arrested. In addition, exorbitant taxes were being imposed on farmers whose land had been confiscated to be used for the construction of Israeli settlements. The area under cultivation had been reduced to make way for military installations, the water and other natural resources of the region had been exploited, and the Arab population had suffered greatly from the administrative measures to Judaize the Golan.

78. Israel was continuing to violate human rights law as contained in international instruments, in particular the Fourth Geneva Convention. The rulings of the International Court of Justice and the reports of the United Nations dealing with the situation of human rights in the Occupied Palestinian Territory made clear the gravity of the violations and their adverse effects on the humanitarian situation in the region. The reports of the human rights organizations operating in the Occupied Palestinian Territory, whether Palestinian, international or Israeli, also confirmed Israel's persistence in ignoring international resolutions urging the necessity of protecting civilians.

79. Morocco had always been in favour of working within a framework of international legitimacy to move the peace process forward, to establish a Palestinian State and to secure the return of all occupied Arab territories. It was essential to ensure respect for the international human rights system in its entirety and put an end to violence in the region, granting the Palestinian people full civil rights and thereby enabling them to live in dignity in a sovereign State in permanent peace and security.

80. His country affirmed the necessity of respecting the special status of Jerusalem and of avoiding any action that might impair its cultural and religious identity. Given the significance of Jerusalem for Muslims and its strategic importance in the peace process, King Mohammed VI, Chairman of the Al-Quds Committee, had urged the parties involved not to take any action likely to impair the sanctity of the Al-Aqsa Mosque and other sites in Jerusalem, thereby preserving the City as a place of peace, coexistence and tolerance among the three revealed religions.

81. **Mr. Al-Otaibi** (Kuwait) observed that there had been a stalemate in the Middle East crisis, with the question of Palestine at its core, since the mid-twentieth century. The Palestinian people were still suffering, their human rights were still being violated and their lands occupied, and Security Council resolutions remained unimplemented. Despite all the fast-paced international efforts to revive the peace process, the Israeli Government, rather than

responding, continued its inhuman practices, pitting its military machine against the unarmed Palestinian people, their homes and their infrastructure, closing border crossing points, limiting freedom of movement and transportation, and engaging in blockades and collective punishment.

83. Israel was also continuing to construct the separation wall inside the occupied West Bank, including East Jerusalem and surrounding areas, in clear violation of the ruling of the International Court of Justice and the provisions of the Fourth Geneva Convention. Although Israel posed as a guarantor of human rights and international law, it had, as confirmed by the 2009 United Nations Board of Inquiry, committed most of the incidents in which United Nations worksites had been damaged during its attack on the Gaza Strip. Israeli settlements in the occupied Arab territories, including East Jerusalem, had also been denounced as in violation of international law by both the International Court of Justice and the Human Rights Council.

83. His Government reaffirmed its full support for the struggle of the Palestinian people to attain their lawful political rights by establishing their own State in their own land with Jerusalem as its capital. It called upon the Security Council to assume its responsibilities in the maintenance of international security by giving force to its own resolutions aimed at deterring the illegal practices of the Israeli Government, and by taking immediate measures to protect the civilian populations in the Occupied Palestinian Territory and prevent further deterioration of their living conditions. His Government called for the immediate and unconditional Israeli withdrawal from the occupied Syrian Golan. It urged the Israeli Government to implement the recommendations the Special Committee had addressed to it in its report and to begin cooperating with that Committee. The international community must pressure Israel to stop its flagrant violations of international humanitarian law within the occupied territories and to work instead for a peaceful resolution of the conflict by implementing the relevant United Nations resolutions, adopting the principle of land for peace and conforming to the Arab peace initiative and the Quartet road map, in order to achieve a just and lasting peace in the Middle East.

84. **Mr. Ali** (Malaysia), drawing attention to the many passages in the Special Committee's report that illustrated Israel's flagrant breaches of the essential and inalienable human rights of the Palestinian people and other Arabs of the territories it had so long occupied, said that those breaches reinforced the international community's abhorrence of the continued systematic violation of human rights and humanitarian law.

85. The dehumanization of the Palestinian people and other Arabs of the occupied territories ran counter to the goal of two contiguous States living together in peace. Israel must be made to desist from its illegal actions, carried out with impunity, in the Occupied Palestinian Territory and the Syrian Golan. He therefore called for full implementation of the recommendations contained in the report of the Special Committee.

The meeting rose at 1.15 p.m.